IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

FRIDAY, THE 28TH SEPTEMBER 2007 / 6TH ASWINA 1929

WP(C).No. 28816 of 2007(E)

PETITIONER:

SATHYAM ROLLER FLOUR MILLS PVT. LTD.,
ANDOOR DEVELOPMENT PLOT-C,
PARASSINIKADAVU P.O., KANNUR DISTRICT
REPRESENTED BY ITS MANAGING DIRECTOR,
SRI. A.K.BANSAL.

BY ADV. SRI.RAJESH NAMBIAR

RESPONDENTS:
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1. **ASSISTANT COMMISSIONER(A),**
   COMMERCIAL TAXES, PODIKUNDU,
   KANNUR-4.

2. **DEPUTY COMMISSIONER(APPEALS),**
   KOZHIKODE.

3. **INSPECTING ASSISTANT COMMISSIONER,**
   COMMERCIAL TAXES, KANNUR.

BY GOVERNMENT PLEADER SRI.M.P.SREEKRISHNAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 28/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC,J

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W.P.(C)Nos.28816 of 2007

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Dated this the 28th day of September 2007

JUDGMENT

Aggrieved by Ext.P1 order, petitioner filed Ext.P2 appeal before the second respondent. During the pendency of the appeal revenue recovery proceedings are initiated as per Ext.P3 for realising Rs.3,54,149/-. Meanwhile petitioner has also filed Ext.P4 application for stay. It is submitted that while orders are not passed on either the appeal or the stay petition, the revenue recovery action is continuing.

2. Now that the appeal filed by the petitioner is pending consideration of the appellate authority, I dispose of the writ petition directing the second respondent to pass orders on Ext.P2 appeal as expeditiously as possible, at any rate, within two months from the date of receipt of a copy of this judgment.

In the mean time further proceeding pursuant to Ext.P3 revenue recovery proceedings shall be kept in abeyance on condition that the petitioner shall remit an amount of Rs.1,50,000/- within two weeks.

ANTONY DOMINIC, JUDGE

dvs